

REMARKS/ARGUMENTS

Applicant respectfully requests reconsideration and allowance of the subject application.

Claims 1-47 were originally submitted.

Claim 10 is canceled without prejudice.

Claims 1-9, 11-47 remain in this application.

Claims 48, 49 and 50 are added.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Examiner Interview

Telephonic interviews took place between Examiner Boris Pesin and Emmanuel Rivera. From the last telephone interview of May 23, 2006, the claims as currently amended are believed to overcome the previous cited reference of Ahead Software's Nero program (Nero). Applicant appreciates Examiner's Pesin resolving the proposed claim amendments and the review of the specification.

1 **Response To Notice of Non-Compliant Amendment**

2 The Office Communication presents that the response filed on January 26,
3 2007 to be not fully responsive to the Office Action, because the Applicant does
4 not discuss the prior art cited and how the amended claims overcome that art.
5

6 **35 U.S.C. §103(a)**

7 In the last Office Action, claims 17, 19, 20, 21, 22, 23, 25, 27, 29, 30, 31,
8 33, 41, 43 and 45 are rejected under 35 U.S.C. §103(a) as being unpatentable over
9 Ahead Software’s Nero program (Nero) in view of U.S. Patent 5,113,517 to Beard
10 et al (Beard). Applicant respectfully traverses the rejection of the claims.

11 **Independent claim 17** is amended and recites “[a] graphical user interface
12 for a computer, comprising:

13 an operating system that interacts with a user to manage computer
14 resources;

15 the operating system having a resource browser that is responsive to
16 user input to explore resource areas containing different types of resources
17 and to display icons that represent the resources, at least some of the
18 resources being physically moveable to and from the resource areas by
19 moving their corresponding icons;

20 at least one of the resource areas being a staged-write resource area;
21 and

22 in response to the user clicking on an icon, presenting a menu where
23 the user is able to select a staging area not currently visible to the user.

24 In particular, the element “in response to the user clicking on an icon,
25 presenting a menu where the user is able to select a staging area not currently

1 visible to the user” which is not taught by the primary reference of Nero. Nero
2 teaches a staging area that is always available to the user. In other words,
3 whatever target staging areas in which to transfer files are made available to the
4 user. The amendment finds support in the specification in the description of Fig.
5 4, and particularly on page 13, lines 1-3. Beard is cited for teaching a user
6 interface; however, in Beard does not teach the elements of “presenting a menu
7 where the user is able to select a staging area not currently visible to the user”.

8 Accordingly, Applicant respectfully requests that the §103 rejection of
9 claim 17 be withdrawn.

10 **Dependent claims 19, 20, 21, 22, 23, and 25** are allowable based at the
11 least on their dependency on claim 17. Applicant respectfully requests that the §103
12 rejection of claims 19, 20, 21, 22, 23, and 25 be withdrawn.

13 **Independent claim 27** is amended to recite in part “[a] graphical user
14 interface for a computer, comprising: an operating system that interacts with a user
15 to manage computer resources”.

16 As discussed above, the cited references of Nero and Beard fail to teach or
17 suggest this element. Applicant respectfully requests that the §103 rejection of
18 claim 27 be withdrawn.

19 **Dependent claims 29, 30, 31, 33** are allowable based at the least on their
20 dependency on claim 27. Applicant respectfully requests that the §103 rejection of
21 claims 29, 30, 31 and 33 be withdrawn.

22 **Independent claim 41** is amended and recites “in response to the user
23 clicking on an icon, presenting a menu where the user is able to select a staging area
24 not currently visible to the user”.

1 As discussed above, the cited references of Nero and Beard fail to teach or
2 suggest this element. Applicant respectfully requests that the §103 rejection of
3 claim 41 be withdrawn.

4 **Dependent claims 43, 45 and 50** are allowable based at the least on their
5 dependency on claim 41. Applicant respectfully requests that the §103 rejection of
6 claims 43, 45 and 50 be withdrawn.

7
8 Claims 1, 2, 3, 4, 5, 6, 7, 8, 35, 36, 37, 38, and 40 are rejected under 35
9 U.S.C. §103(a) as being unpatentable over Nero, in view of U.S. Patent 5,946,277
10 to Kuroda et al (Kuroda). Applicant respectfully traverses the rejection of the
11 claims.

12 **Independent claim 1** is amended and recites “[o]ne or more computer
13 readable media containing one or more operating system programs that comprise a
14 resource browser, said one or more programs comprising computer-readable
15 instructions for performing a process comprising:

16 interacting with a user to manage computer resources, including
17 graphically browsing different computer resource areas that contain
18 resources managed by the operating system;

19 representing resources within the resource areas as icons, the
20 resources being physically moveable to and from at least some of the
21 resource areas by moving the icons;

22 at least one of the resource areas being a particular type of writable
23 resource area to which resources can be written; and

24 in response to the user clicking on an icon, presenting a menu where
25 the user is able to select a staging area not currently visible to the user.

1 In particular, claim 1 has been amended to the element “in response to the
2 user clicking on an icon, presenting a menu where the user is able to select a
3 staging area not currently visible to the user”. As discussed above , this element is
4 not taught by the primary reference of Nero. Kuroda is cited as teaching “include
5 the ability to hold off on recording data until the eject button is pressed with the
6 motivation to reduce the speed of the total recording time because the data would
7 only be recorded once and not several times”. However, Kuroda fails to teach “in
8 response to the user clicking on an icon, presenting a menu where the user is able
9 to select a staging area not currently visible to the user”.

10 Accordingly, Applicant respectfully requests that the §103 rejection of
11 claim 1 be withdrawn.

12 **Dependent claims 2, 3, 4, 5, 6, 7, 8 and 48** are allowable at the least by
13 virtue of their dependency on base claim 1. Applicant respectfully requests that
14 the §103 rejection of claims 2, 3, 4, 5, 6, 7, 8 and 48 be withdrawn.

15 **Independent claim 35** recites in part “in response to the user clicking on an
16 icon, presenting a menu where the user is able to select a staging area not currently
17 visible to the user”.

18 As discussed above, the cited references of Nero and Kuroda fail to teach or
19 suggest this element. Applicant respectfully requests that the §103 rejection of
20 claim 35 be withdrawn.

21 **Dependent claims 36, 37, 38, 40 and 48** are allowable at the least by virtue
22 of their dependency on base claim 1. Applicant respectfully requests that the §103
23 rejection of claims 36, 37, 38, 40 and 48 be withdrawn.
24
25

1 In the interviews discussed above, it was discussed that the Nero reference
2 does not teach the element of “in response to the user clicking on an icon,
3 presenting a menu where the user is able to select a staging area not currently
4 visible to the user”. Independent claims 1, 12, 17, 27, 35, 41, and 46 have been
5 amended to include this element. Therefore, the independent claims and their
6 dependent claims are allowable over the cited reference of Nero.

7 Accordingly, Applicant respectfully requests that the §103 rejection of the
8 claims be withdrawn.

9
10 Claims 12, 13, 15, 16, 18, 28, and 42 are rejected under 35 U.S.C. §103(a)
11 as being unpatentable over Nero in view of Beard and in further view of Kuroda.
12 Applicant respectfully traverses the rejection of the claims.

13 **Independent claim 12** recites in part “presenting, in response to a user
14 clicking on an icon representative of the removable storage medium, a menu where
15 the user is able to select a staging area not currently visible to the user”. As
16 discussed above, this element is not taught by the primary reference of Nero.
17 Furthermore, the reference of Beard and Kuroda do not teach this element.
18 Applicant respectfully requests that the §103 rejection of claim 12 be withdrawn.

19 **Dependent claims 13, 15 and 16** are allowable at the least by virtue of their
20 dependency on base claim 12. Applicant respectfully requests that the §103
21 rejection of claims 13, 15 and 16 be withdrawn.

22 **Dependent claim 18** depends from claim 17 and benefits from the benefits
23 from the arguments in support of claim 17 as to Nero and Beard. In particular,
24 claim 18 benefits from arguments directed to the failure of Nero and Beard to
25

1 teach or suggest “in response to the user clicking on an icon, presenting a menu
2 where the user is able to select a staging area not currently visible to the user”.

3 Kuroda is cited as teaching “when the ejection operation to eject the
4 recording disk to the outside is performed, the file management data pieces
5 recorded on a predetermined area of the recording disk”. However, Kuroda again
6 does not teach element of “in response to the user clicking on an icon, presenting a
7 menu where the user is able to select a staging area not currently visible to the
8 user”. Therefore, Applicant respectfully requests that the §103 rejection of claim
9 18 be withdrawn.

10 **Dependent claim 28** depends from claim 27 and benefits from the benefits
11 from the arguments in support of claim 27 as to Nero and Beard. In particular,
12 claim 28 benefits from arguments directed to the failure of Nero and Beard to
13 teach or suggest “in response to the user clicking on an icon, presenting a menu
14 where the user is able to select a staging area not currently visible to the user”.

15 Kuroda is cited as teaching “when the ejection operation to eject the
16 recording disk to the outside is performed, the file management data pieces
17 recorded on a predetermined area of the recording disk”. However, Kuroda again
18 does not teach element of “in response to the user clicking on an icon, presenting a
19 menu where the user is able to select a staging area not currently visible to the
20 user”. Therefore, Applicant respectfully requests that the §103 rejection of claim
21 28 be withdrawn.

22
23 Claim 9 is rejected under 35 U.S.C. §103(a) as being unpatentable over
24 Nero and Kuroda, in view of U.S. Patent 6,499,095 to Sexton et al (Sexton).
25 Applicant respectfully traverses the rejection of the claim.

1 **Dependent claim 9** depends from claim 1 and benefits from the arguments
2 in support of claim 1 as to Nero and Kuroda. In particular, claim 9 benefits from
3 arguments directed to the failure of Nero and Kuroda to teach or suggest “in
4 response to the user clicking on an icon, presenting a menu where the user is able
5 to select a staging area not currently visible to the user”.

6 Sexton is cited as teaching “a numeric reference employs a machine-
7 independent format for encoding references between objects that is suitable for
8 both run-time use in virtual machines and storage use in secondary storage”.
9 However, Sexton does not teach elements of “in response to the user clicking on
10 an icon, presenting a menu where the user is able to select a staging area not
11 currently visible to the user”. Accordingly, none of the three cited references
12 suggest including the recited features as elements of an operating system.
13 Therefore, Applicant respectfully requests that the §103 rejection of claim 9 be
14 withdrawn.

15
16 Claims 11 and 39 are rejected under 35 U.S.C. §103(a) as being
17 unpatentable over Nero and Kuroda, in view of U.S. Patent 5,946,277 to Stewart
18 (Stewart). Applicant respectfully traverses the rejection of the claims.

19 **Dependent claim 11** depends from claim 1 and benefits from the
20 arguments in support of claim 1 as to Nero and Kuroda.

21 The combination of Nero, Kuroda, and Stewart fail to teach or suggest the
22 graphical user interface of claim 11. In particular, claim 11 benefits from
23 arguments directed to the failure of Nero and Kuroda to teach or suggest “in
24 response to the user clicking on an icon, presenting a menu where the user is able
25 to select a staging area not currently visible to the user”.

1 Stewart is cited for its teaching of a “locking mechanism with the
2 motivation to provide the user with protection of writing over an undesired file”.
3 Stewart does not teach elements of “in response to the user clicking on an icon,
4 presenting a menu where the user is able to select a staging area not currently
5 visible to the user”. Accordingly, none of the three cited references suggest
6 including the recited element of “in response to the user clicking on an icon,
7 presenting a menu where the user is able to select a staging area not currently
8 visible to the user features”. Therefore, Applicant respectfully requests that the
9 §103 rejection of claim 11 be withdrawn.

10 **Dependent claim 39** depends from claim 35 and benefits from the
11 arguments in support of claim 35 as to Nero and Kuroda. In particular, claim 39
12 benefits from arguments directed to the failure of Nero and Kuroda to teach “in
13 response to the user clicking on an icon, presenting a menu where the user is able
14 to select a staging area not currently visible to the user”.

15 Stewart is cited as teaching “to produce the shared files using some
16 conventional operating systems, including a filename or other identifier with which
17 to name the file. The operating system may create the file and open it.
18 Additionally, the operating system may lock the file in response to such a
19 command in order to prohibit use of the file by other processes while the file is
20 being written. The writer may receive from some conventional operating systems
21 a pointer or other identifier of the file in response to the open for write command.”
22 Stewart provides no assistance in light of Nero and Kuroda as to the recited
23 computer readable media of claim 39. Applicant respectfully requests that the
24 §103 rejection of claim 39 be withdrawn.
25

1 Claim 14 is rejected under 35 U.S.C. §103(a) as being unpatentable over
2 Nero and Kuroda, in view of U.S Patent 6,678,764 to Paravelescu et al
3 (Paravelescu). Applicant respectfully traverses the rejection of claim 14.

4 **Dependent claim 14** depends from claim 12 and benefits from the
5 arguments in support of claim 12 as to Nero and Kuroda. In particular, claim 14
6 benefits from arguments directed to the failure of Nero and Kuroda to teach or
7 suggest “in response to the user clicking on an icon, presenting a menu where the
8 user is able to select a staging area not currently visible to the user”.

9 Paravelescu is cited as teaching “if media is not present, a beep or other
10 warning and prompt to the user to insert media is issued”. However, Paravelescu
11 provides no suggestion as to an operating system. Therefore, the combination of
12 these three references, even combined, fail to suggest this characteristic.
13 Applicant respectfully requests that the §103 rejection of claim 14 be withdrawn.

14
15 Claims 24 and 32 are rejected under 35 U.S.C. §103(a) as being
16 unpatentable over Nero in view of Sexton. Applicant respectfully traverses the
17 rejection of claims 24 and 32.

18 **Dependent claim 24** depends from claim 17, and benefits from the
19 arguments in support of claim 17 as to Nero. In particular, claim 24 benefits from
20 arguments directed to the failure of Nero to teach or suggest “in response to the
21 user clicking on an icon, presenting a menu where the user is able to select a
22 staging area not currently visible to the user”.

23 Sexton is cited as teaching “a numeric reference employs a machine-
24 independent format for encoding references between objects that is suitable for
25 both run-time use in virtual machines and storage use in secondary storage”.

1 However, Sexton does not teach elements of “in response to the user clicking on
2 an icon, presenting a menu where the user is able to select a staging area not
3 currently visible to the user”. Therefore, the combination of these two references,
4 even combined, fail to suggest this characteristic. Applicant respectfully requests
5 that the §103 rejection of claim 24 be withdrawn.

6 **Dependent claim 32** depends from claim 27 and benefits from the
7 arguments in support of claim 27 as to Nero. In particular, claim 32 benefits from
8 arguments directed to the failure of Nero to teach or suggest “in response to the
9 user clicking on an icon, presenting a menu where the user is able to select a
10 staging area not currently visible to the user”.

11 Sexton is cited as teaching “a numeric reference employs a machine-
12 independent format for encoding references between objects that is suitable for
13 both run-time use in virtual machines and storage use in secondary storage”.
14 However, Sexton does not teach elements of “in response to the user clicking on
15 an icon, presenting a menu where the user is able to select a staging area not
16 currently visible to the user”. Therefore, the combination of these two references,
17 even combined, fail to suggest this characteristic. Applicant respectfully requests
18 that the §103 rejection of claim 32 be withdrawn.

19
20 Claims 26, 34 and 44 are rejected under 35 U.S.C. §103(a) as being
21 unpatentable over Nero, in view of Beard, and in further view of Stewart.
22 Applicant respectfully traverses the rejection of the claims.

23 **Dependent claim 26** depends from claim 17 and benefits from the
24 arguments in support of claim 17 as to Nero and Beard. In particular, claim 26
25 benefits from arguments directed to the failure of Nero and Beard to teach or

1 suggest “in response to the user clicking on an icon, presenting a menu where the
2 user is able to select a staging area not currently visible to the user”.

3 Stewart is cited as teaching “to produce the shared file using some
4 conventional operating systems, the write sends an ‘open for write’ commence to
5 the operating system, including a filename or other identifier with which to name
6 the file. The operating system may create the file and open it. Additionally, the
7 operating system may lock the file in response to such a command in order to
8 prohibit use of the file by other processes while the file is being written. The
9 writer may receive from some conventional operating systems a pointer or other
10 identifier of the file in response to the open for write command”. However,
11 Stewart does not teach elements of “in response to the user clicking on an icon,
12 presenting a menu where the user is able to select a staging area not currently
13 visible to the user”. Therefore, the combination of these two references, even
14 combined, fail to suggest this characteristic. Applicant respectfully requests that
15 the §103 rejection of claim 26 be withdrawn.

16 **Dependent claim 34** depends from claim 27 and benefits from the
17 arguments in support of claim 27 as to Nero and Beard. In particular, claim 26
18 benefits from arguments directed to the failure of Nero and Beard to teach or
19 suggest “in response to the user clicking on an icon, presenting a menu where the
20 user is able to select a staging area not currently visible to the user”.

21 Stewart is cited for the same teaching as used in rejecting claim 24.
22 However, Stewart provides no suggestion of “in response to the user clicking on
23 an icon, presenting a menu where the user is able to select a staging area not
24 currently visible to the user”. Therefore, the combination of these references, even
25

1 combined, fail to suggest this characteristic. Applicant respectfully requests that
2 the §103 rejection of claim 34 be withdrawn.

3 **Dependent claim 44** depends from claim 41 and benefits from the
4 arguments in support of claim 41 as to Nero. In particular, claim 44 benefits from
5 arguments directed to the failure of Nero to teach or suggest “in response to the
6 user clicking on an icon, presenting a menu where the user is able to select a
7 staging area not currently visible to the user”.

8 Stewart is cited for the same teaching as used in rejecting claim 24.
9 However, Stewart provides no suggestion of “in response to the user clicking on
10 an icon, presenting a menu where the user is able to select a staging area not
11 currently visible to the user”. Applicant respectfully requests that the §103
12 rejection of claim 44 be withdrawn.

13 Claims 46 and 47 are rejected under 35 U.S.C. §103(a) as being
14 unpatentable over Nero, in view of Sexton, in further view of Stewart, and in
15 further view of Kuroda. Applicant respectfully traverses the rejection of claims 46
16 and 47.

17 **Independent claim 46** in part recites “in response to the user clicking on an
18 icon, presenting a menu where the user is able to select a staging area not currently
19 visible to the user”.

20 As discussed above, Nero does not teach or suggest “in response to the user
21 clicking on an icon, presenting a menu where the user is able to select a staging
22 area not currently visible to the user”. Furthermore, Sexton, Stewart, and Kuroda
23 do not teach or suggest such an element.

24 Sexton is cited as teaching “storing corresponding references to the
25 designated resources”. Stewart is cited as teaching “for any designated resource

1 that is changed prior to writing, creating an unchanged copy of the staged resource
2 and changing the corresponding reference to indicate the unchanged copy”.
3 Kuroda is cited as teaching “in response to an instruction to write to the removable
4 storage medium, writing any designated resources and any unchanged copies
5 indicated by the stored references”. However, Sexton, Stewart, and Kuroda
6 provide no suggestion as to “in response to the user clicking on an icon, presenting
7 a menu where the user is able to select a staging area not currently visible to the
8 user”. Applicant respectfully requests that the §103 rejection of claim 46 be
9 withdrawn.

10 **Dependent claim 47** is allowable by virtue of its dependency on base claim
11 46. Applicant respectfully requests that the §103 rejection of claim 47 be
12 withdrawn.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CONCLUSION

All pending claims 1-9, 11-50 are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the subject application. If any issues remain that prevent issuance of this application, the Examiner is urged to contact the undersigned attorney before issuing a subsequent Action.

Respectfully Submitted,

Dated: May 2, 2007

By: /Emmanuel A. Rivera/
Emmanuel A. Rivera
Reg. No. 45,760
(509) 324-9256 ext. 245